



STATE OF TENNESSEE
Department of Correction

REQUEST FOR PROPOSALS # 32901-31280
AMENDMENT # 2
FOR Employee Drug Testing Services

DATE: Feb. 26, 2016

RFP # 32901-31280 IS AMENDED AS FOLLOWS:

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME (central time zone)	DATE	Confirmed or updated
1. RFP Issued		1/8/2016	Confirmed
2. Disability Accommodation Request Deadline	2:00 p.m.	1/14/2016	Confirmed
3. Pre-response Conference	2:00 p.m.	1/15/2016	Confirmed
4. Notice of Intent to Respond Deadline	2:00 p.m.	1/21/2016	Confirmed
5. Written "Questions & Comments" Deadline	2:00 p.m.	1/27/2016	Confirmed
6. State Response to Written "Questions & Comments"		2/26/2016	Updated
7. Response Deadline	2:00 p.m.	3/4/2016	Updated
8. State Completion of Technical Response Evaluations		3/11/2016	Updated
9. State Opening & Scoring of Cost Proposals	2:00 p.m.	3/14/2016	Updated
10. Negotiations (Optional)		3/15/2016	Updated
11. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	3/16/2016	Updated
12. End of Open File Period		3/23/2016	Updated
13. State sends contract to Contractor for signature		3/24/2016	Updated
14. Contractor Signature Deadline	2:00 p.m.	3/25/2016	Updated

2. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

QUESTION / COMMENT	STATE RESPONSE
<p>1 What are the prices TN Correctional currently pays for the following services:</p> <ul style="list-style-type: none"> a. drug test (price per test) b. alcohol test (price per test) c. on-site fee d. after-hour fee e. direct observation fee 	<p>The current contract fees are as follows:</p> <p>12 Panel Drug Test (M-F 8 a.m.-5 p.m.) \$75/each</p> <p>Alcohol Evidential Breath Testing (EBT) (M-F 8 a.m.-5 p.m.) \$75/each</p> <p>Commercial Driver's License (CDL) 5 Panel (M-F 8 a.m.-5 p.m.) \$75/each</p> <p>12 panel Drug Test (5 p.m.- 8 a.m. M-F, Saturday and Sunday) \$135/each</p> <p>Alcohol Evidential Breath Testing (EBT) (5 p.m.- 8 a.m. M-F, Saturday and Sunday) \$135/each</p> <p>Commercial Driver's License (CDL) 5 Panel 5 p.m.- 8 a.m. M-F, Saturday and Sunday \$135/each</p> <p>The current contract does not specify separate fees for onsite collection or direct observation.</p> <p>The after-hours rates are the three \$135/each listed above which take place between 5 p.m. and 8 a.m. M-F, Saturday and Sunday. There are no 'after-hour fees'.</p>
<p>2 Can we obtain of copy of the bid from the company previously awarded the contact?</p>	<p>A copy of the proposal from the current vendor is available upon written request to RFP coordinator Priscilla Wainwright at Priscilla.wainwright@tn.gov.</p> <p>Please note that the current RFP includes different technical requirements than those of the last RFP.</p>
<p>3 Will a collector be required to be on-site daily at each site?</p>	<p>No, but because TDOC operates 24/7/365 we do require someone that is available on call / after hours. At least once a month site visits for random testing as specified in ProForma Contract A.4.g.</p>
<p>4 What Laboratory are you currently working with?</p>	<p>The current vendor is working with MedTox.</p>
<p>5 Who is your current Third party Administrator?</p>	<p>Mid-South Drug Testing is the current third party administrator.</p>
<p>6 What is your current pricing?</p>	<p>Please see the State's response to Question 1.</p>
<p>7 Please list your current collection sites.</p>	<p>The current vendor subcontracts with 24 sites statewide.</p> <p>The respondent awarded the contract will be expected to set up its own network of collection sites. The list of the current sites is not germane to this RFP.</p>
<p>8 How many tests were done in 2015? (under</p>	<p>In 2015, 5982 drug tests were conducted.</p>

QUESTION / COMMENT	STATE RESPONSE
cost item description on page 26 & 27)	In 2015, 4125 breath alcohol tests were conducted.
9 Who is the current vendor?	The current vendor is Mid-south Drug Testing.
10 What is the current pricing?	Please see the State's response to Question 1.
11 Why is the RFP being issued (e.g. contract term expiring)?	The RFP was issued because the contract term was due to expire in 2015. The contract term was extended to allow the completion of this RFP.
12 Please provide a listing of the current drug and alcohol collection site(s) and name(s) of the on-site collection provider being utilized by TDOC.	The current vendor subcontracts with 24 sites statewide. The respondent awarded the contract will be expected to set up its own network of collection sites. The list of the current sites is not germane to this RFP.
13 How many MRO reviewed positive drug test results were reported in 2014 and 2015?	The MRO reviews all positive and negative tests. In 2014, the MRO reviewed 4787 drug tests. In 2015, the MRO reviewed 5982 drug tests.
14 How many laboratory positives required MRO review in 2014 and 2015?	All laboratory positives require MRO review. TDOC testing is a mirror of DOT testing just using a different panel.
15 Please provide the volume for each service listed below conducted in 2014 and 2015: <ul style="list-style-type: none"> ○ 12-Panel Drug Test (8 AM to 5 PM Monday – Friday) ○ Alcohol Evidential Breath Testing (8 AM to 5 PM Monday – Friday) ○ Commercial Driver's License (5-Panel; 8 AM to 5 PM Monday – Friday) ○ After Hour 12-Panel Drug Test (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) ○ After Hour Alcohol Evidential Breath Testing (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) ○ After Hour Commercial Driver's License (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) 	The requested information is not available to the State in the format requested. Please see Attachment 7 which is being added by this amendment for a breakdown of tests conducted in 2014 and 2015 by location.
16 Please provide the number of drug and alcohol test for each of the below categories conducted on-site at TDOC and at a brick and mortar collection site in 2014 and 2015: <ul style="list-style-type: none"> ○ 12-Panel Drug Test (8 AM to 5 PM Monday – Friday) ○ Alcohol Evidential Breath Testing (8 AM to 5 PM Monday – Friday) ○ Commercial Driver's License (5-Panel; 8 AM to 5 PM Monday – Friday) ○ After Hour 12-Panel Drug Test (5 PM to 8 	Most testing is done at the prison or probation/parole office. Pre-employments may be sent to a collection site. Please reference Attachment 7 which is being added by this Amendment for breakdowns of tests conducted in 2014 and 2015 by locations.

QUESTION / COMMENT	STATE RESPONSE
<p>AM Monday – Friday, Saturday, Sunday and Holidays)</p> <ul style="list-style-type: none"> ○ After Hour Alcohol Evidential Breath Testing (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) * After Hour Commercial Driver's License (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) 	
<p>17 Please provide the number of drug and alcohol tests for each of the below categories for each TDOC location in 2014 and 2015:</p> <ul style="list-style-type: none"> ○ 12-Panel Drug Test (8 AM to 5 PM Monday – Friday) ○ Alcohol Evidential Breath Testing (8 AM to 5 PM Monday – Friday) ○ Commercial Driver's License (5-Panel; 8 AM to 5 PM Monday – Friday) ○ After Hour 12-Panel Drug Test (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) ○ After Hour Alcohol Evidential Breath Testing (5 PM to 8 AM Monday – Friday, Saturday, Sunday and Holidays) 	<p>The requested information is not available to the State in the format requested.</p> <p>Please see Attachment 7-which is being added by this Amendment for breakdowns of tests conducted in 2014 and 2015 by locations.</p>
<p>18 Section L, numbers 1 and 2, on page vi of the RFP require the contractor to provide a lesson plan and materials for training.</p> <p>Can the contractor provide an electronic file and TDOC print the necessary copies? If not, how many copies of the materials are required by the contractor on an annual basis? May the contractor provide a web-based training solution where each employee may log into a secure website to complete the training?</p>	<p>Yes, TDOC can make either print or electronic copies available to parties that require the information.</p> <p>Yes.</p>
<p>19 Quest Diagnostics, Inc. and Laboratory Corporation of American (two of the largest SAMHSA certified laboratories) stated that they aren't able to meet the detection levels outlined in section 2. a on page iv. Please provide the name of the current SAMSHA certified laboratory conducting the testing for TDOC as well as the panel number.</p>	<p>Drug free workplace procedures in Tennessee are as prescribed by Tennessee Department of Labor and Workforce Development administrative rule, no. 0800-02-12. Rule 0800-02-12-.07(6) provides that "<i>Threshold detection levels of these drugs shall be in accordance with Substance Abuse & Mental Health Services Administration (SAMHSA) or (CAP-FUDT) guidelines unless modified according to TCA §50-9-111.</i>"</p> <p>The present SAMHSA mandatory guidelines appear in the Federal Register, 73 FR 71858, (November 25, 2008), at p. 71880. The thresholds prescribed there correspond fully with the US DOT rule</p>

QUESTION / COMMENT	STATE RESPONSE
	<p>tabulation from 49 CFR part 40. Please reference Item 3 which updates the detection levels.</p> <p>As stated in item 4 above, the current vendor is working with Medtox.</p>
<p>20 Can you please Clarify {sic} RFP Schedule of Events Section 2.1, number 8. Is that referring to the respondent sending the technical response and evaluation, if so how should we submit it?</p>	<p>Item 8 in the RFP schedule of events refers to the State finishing its evaluation of technical proposals.</p> <p>Item 7 states the deadline for proposal submission.</p> <p>Proposals may be submitted in person to the RFP coordinator listed in RFP section 1.4.2.1 or by commercial carrier, to the attention of the RFP coordinator listed in RFP section 1.4.2.1.</p>
<p>21 Do we fill out the proforma contract with our Company information where needed or should it be left blank?</p>	<p>Vendors are not required to complete company information in the ProForma contract as part of their proposals.</p>
<p>22 The information requested on pages 19/20 under Mandatory Requirements (Specifically A3, A4, A5) seem excessive. We've been submitting bids and servicing government contracts for over 20 years and have not been asked to provide such information besides proof of incorporation and certifications in good standing. Additionally, the bureaucracy and time to receive credit information and signatures from credit bureaus can take over 30 days. Would The State be willing to modify this request and settle for corporate filing paperwork or some other proof of good standing?</p>	<p>The State is not willing to modify RFP requirements, which insure the financial stability and fitness of proposers to perform the duties outlined in the RFP.</p> <p>Credit reports are available, at cost, to potential proposers online via credit reporting company websites. Once accessed online, the reports can be printed, appropriately indexed and included in a proposal.</p>
<p>23 PLEASE PROVIDE THE CURRENT COST THE AGENCY PAYS FOR EACH LINE ITEM 12 panel drug test, Alcohol Evidential Breath Testing (EBT), Commercial Driver's License (CDL) 5 panel drug test, After Hours 12 panel Drug test (5 p.m. to 8 a.m. Monday, Friday, Saturday, Sunday and holidays, After Hours Alcohol Evidential Breath Testing (EBT), After Hours Commercial Driver's License (CDL) 5 panel drug test.</p>	<p>Please see the State's response to Question 1.</p>
<p>24 What ARE EXAMPLES OF "OTHER FEES" THE AGENCY HAS BEEN BILLED FOR BY THE SERVICE PROVIDER?</p>	<p>Other fees the State has been billed for include Hair testing and mileage by sub contractors.</p>
<p>25 WHO IS/ARE THE CURRENT PROVIDER(S) FOR DRUG TESTING SERVICES FOR THE REQUESTED SERVICES?</p>	<p>The current provider is Mid-South Drug Testing.</p>
<p>26 HOW LONG HAS THIS VENDOR(S) PROVIDED THE REQUESTED SERVICES?</p>	<p>Mid-South Drug Testing has been providing services since Jan. 1, 2011.</p>
<p>27 HOW CAN WE OBTAIN A COPY OF THE CURRENT CONTRACT?</p>	<p>The current contract along with the contract's two amendments are included as Attachment 8 to this</p>

QUESTION / COMMENT		STATE RESPONSE
		RFP amendment and are being added to the ProForma Contract by means of this amendment.
28	HOW MANY AFTER HOURS, POST ACCIDENT, AND AFTER HOURS REQUESTED TESTS HAVE TAKEN PLACE IN THE LAST YEAR?	<p>The total number of post-accident drug tests for 2015 was 390.</p> <p>The total number of reasonable suspicion for 2015 was 16.</p> <p>Because TDOC operates on a 24 hour basis, random tests may also be conducted during evening hours.</p>
29	HOW MANY BREATHE ALCOHOL TESTS WERE CONDUCTED LAST YEAR?	4125 Breath Alcohol tests were conducted last year.
30	HOW MANY SAMPLES ARE BEING COLLECTED AT EACH OF THE CURRENT SITES EACH DAY?	Information on the number of samples collected at each current site per day is not available to the State.
31	WHAT IS THE FREQUENCY OF PICK UP OF SPECIMENS FROM THE SITE(S) CURRENTLY? DOES THE CURRENT DRUG TESTING COMPANY PICK UP/USE UPS/FEDEX THE SPECIMENS DAILY, OR TWO DAYS A WEEK, OR THREE DAYS A WEEK, OR IS THERE SOME OTHER ARRANGMENT IN ORDER TO SAVE ON SHIPPING COSTS TO THE LABORATORY?	<p>Collection sites ship samples daily.</p> <p>The respondent awarded the contract will be responsible for specimen transit and said transit shall be conducted in keeping with the Tennessee Drug-Free Workplace Act and DHHS/SAMHSA or U.S. DOT as stated in ProForma Contract A.4.e. The respondent awarded the contract may elect to use either private courier or commercial carrier, at no additional cost to the State.</p>
32	CAN WE OBTAIN A COPY OF THE CURRENT CHAIN OF CUSTODY FORM BEING USED BY THE AGENCY?	<p>The State will not make the current chain of custody form available.</p> <p>The respondent awarded the contract will be responsible for providing a chain of custody form that complies with all applicable State rules and policy.</p>
33	HOW MANY INSTANCES DOES THE AGENCY ANTICIPATE HAVING TO HAVE AN EXPERT WITNESS ON HAND FOR A COURT CASE?	There has been one case where the current vendor was an expert on a case but approximately 15 cases that needed additional information
34	WHAT WAS THE PERCENTAGE OR QUANTITY OF ADULTERATED/ALTERED SUBSTANCES REPORTED BY THE LABORATORY THE PREVIOUS YEAR?	<p>For 2015, DOT was none.</p> <p>Non-DOT was 30 rejected/cancelled.</p>
35	Who is your current provider?	The current provider is Mid-South Drug Testing.
36	What is your current cost per line item?	Please see the State's written response to Question 1.
37	Do you use mobile collectors or brick and mortar, for after- hours collections?	Mostly mobile collectors are used for after-hours collections.
38	Who have you previously been using for your	The current provider is Mid-South Drug Testing.

QUESTION / COMMENT		STATE RESPONSE
Drug and Alcohol Testing Services?		
39	What have you been paying for the Drug and Alcohol Services?	Please see the State's written response to Question 1.
40	Who is the current vendor for services?	The current provider is Mid-South Drug Testing.
41	What is the current price for the 12 panel test during working hours ?	Please see the State's written response to Question 1.
42	What is the current price for the DOT 5 panel test during working hours?	Please see the State's written response to Question 1.
43	What is the current price for Breath alcohol testing during working hours?	Please see the State's written response to Question 1.
44	What is the current pricing for after hours 12 panel test?	Please see the State's written response to Question 1.
45	What is the current pricing for after hours Breath Alcohol Testing?	Please see the State's written response to Question 1.
46	What is the current pricing for the after hours 5 panel DOT Test?	Please see the State's written response to Question 1.
47	Can you provide the current list of collection sites used for this contract?	<p>The current vendor subcontracts with 24 sites statewide.</p> <p>The respondent awarded the contract will be required to establish their own collection sites to perform the duties outlined in the contract.</p> <p>A list of the current sites used by the current vendor is not germane to this RFP.</p>
48	Can you provide a list of after hour clinics currently being used for this contract?	<p>The current vendor subcontracts with 24 sites statewide.</p> <p>The respondent awarded the contract will be required to establish their own collection sites to perform the duties outlined in the contract.</p> <p>A list of the current sites used by the current vendor is not germane to this RFP.</p>
49	Are any of these tests allowed to be conducted on site using a mobile collector?	Random drug testing is done by the vendor at the respective facility and, in some cases, pre-employment testing. In some rare cases, testing may occur at a site other than the vendor's location or the facility (i.e. employee hospitalized after an injury).
50	What is the reason for so many after hour tests? (5,055)	The 5,055 figure is the State's estimate so that costs to provide after-hours services can be projected and proposed.
51	Are these employees not able to take the tests during normal business hours?	Because offender and inmate supervision occurs both during normal business hours and after hours,

QUESTION / COMMENT		STATE RESPONSE
		injuries and other reasonable suspicion events requiring drug testing take place after normal business hours. As a result, testing services must be available after regular business hours so that testing can take place as quickly as possible.
52	Are any of these test collections performed by staff?	No, the collections are not performed by TDOC staff. It is not permitted under State policy and State staff are not certified
53	Can an DOT approved alcohol swab be used for after hours collection if a breath alcohol machine is not available?	No. State policy does not permit the use of an approved alcohol swab for after hours collection.
54	Do the current after hours locations that are required to be open 24 hours for after hours collections have breath alcohol machines available?	No sites are required to be open 24 hours, however, a collector must be available 24/7. All mobile collectors must have DOT approved breath alcohol machines.

3. Delete RFP ProForma Contract section A.4.f.2.a in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

2. The Contractor shall provide a twelve (12) panel drug screen on urine samples (or by alternate means as in Section A.4.d.) by using an immunoassay in a laboratory meeting the requirements of the Tennessee Drug Free Workplace Act. All drug testing bids must show detection levels in the parameters indicated below or lower detection levels. The following drugs shall be tested:

a.

		DETECTION LEVEL	
CODE	DRUG	SCREEN	GC / MS
AMP	Expanded Amphetamine (including MDA and/or MDMA)	400-200 ng/mL	100-75 ng/mL
BAR	Barbituates	300-200 ng/mL	150-100 ng/mL
BZO	Benzodiazepines	300-200 ng/mL	150-75 ng/mL
COC	Cocaine	200-150 ng/mL	100-50 ng/mL
MTD	Methadone	300-200 ng/mL	150-100 ng/mL
MAMP	Methamphetamine	500-300 ng/mL	100-75ng/mL
OPI	Opiates	200-100 ng/mL	75-50 ng/mL
OXY	Oxycodone	200-100 ng/mL	75-50 ng/mL
PCP	Phencyclidine	25-15 ng/mL	10-5 ng/mL
PPX	Propoxyphene	400-200 ng/mL	150-100 ng/mL
THC	Cannabinoids	50-30 ng/mL	10-2 ng/mL
BUP	Buprenorphine	10-5 ng/mL	5-2 ng/mL

ALC	Alcohol	.04 Blood Alcohol Content or Greater
		Considered Positive

4. Delete Proforma Contract Section A.4.b. and replace it with the following:

A.4.b. **Collection Sites.** The Contractor shall provide collection sites for the TDOC employee drug and alcohol testing program.

1. At a minimum, the Contractor shall provide on-site urine specimen collection for drug testing, and E.B.T. for alcohol testing at the facility locations identified in the Department TDOC Facility and Community Supervision Office Map, Attachment Two, and Worksite Location Addresses, Attachment Three of this Contract. The Contractor shall make locations available so that Community Supervision staff, once notified that they have been randomly selected or otherwise noted for testing, can report immediately as mandated by TDOC Policy # 302.12 as may be amended (Attachment 4).
2. The Contractor shall also provide testing services 24 hours per day, 7 days per week for unscheduled post-accident and reasonable suspicion testing. The Contractor shall provide a representative with a cell phone, a backup cell phone or other acceptable electronic communications device and access to available collection sites to serve as the contact for the State when collection services are required for post-accident or reasonable suspicion testing outside the operating hours of the established collection sites. Collection sites are subject to the prior written approval of the State.
3. In some rare cases, at the request of the State, testing may occur at a site other than the vendor's location or the facility (i.e. employee hospitalized after an injury).

5. Add **RFP** Attachment 1 – TDOC 2014 and 2015 breakdown by location.

6. Add **RFP** Attachment 2 – original current contract, amendments 1 and 2.

7. **RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.